# TOWN OF PARACHUTE ORDINANCE NO. 693-2016

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 6.11 OF THE PARACHUTE MUNICIPAL CODE CONCERNING MARIJUANA LICENSING TO REGULATE MEDICAL MARIJUANA ESTABLISHMENTS AND REPEALING SECTION 11.08.095

WHEREAS, Article XVIII, Section 16 of the Colorado Constitution authorizes the establishment of Medical Marijuana Establishments;

WHEREAS, Section 11.08.095 of the Parachute Municipal Code (the "Code") prohibits the operation of Medical Marijuana Establishments within the Town;

WHEREAS, the Board of Trustees find that in light of reported positive economic impacts associated with the operation of Retail and Medical Marijuana Establishments elsewhere in Colorado, it is in the Town's financial interest to repeal Section 11.08.150 of the Code to permit the operation of Medical Marijuana Establishments within the Town;

WHEREAS, the Town may enact ordinances which: govern the time, place, manner, and number of Medical Marijuana Establishments; govern the issuance, suspension, and revocation of a license which may be issued by the local government for operation of a Medical Marijuana Establishment; establish a schedule of annual operating, licensing, and application fees for Medical Marijuana Establishments; and establish civil penalties for violation of the local government's Retail Marijuana Establishments ordinances or regulations;

WHEREAS, the Board of Trustees previously adopted Ordinance No. 683 to codify Chapter 6.11 regulating the licensing of Retail Marijuana Establishments, which has subsequently been amended by Ordinance Nos. 690 and 692;

WHEREAS, the Board of Trustees find that it is in the Town's interest to codify Medical Marijuana Establishments ordinances which regulate their local licensing and provide the Town with as much control and authority over the operation of Medical Marijuana Establishments within the Town as is permissible under Colorado law; and

WHEREAS, Chapter 6.11 is amended as set forth in this ordinance to regulate Medical Marijuana Establishments.

# NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

- Section 1. The foregoing recitals are incorporated herein as if set forth in full.
- Section 2. Section 11.08.095 of the Parachute Municipal Code prohibiting the operation of Retail Marijuana Establishments within the Town of Parachute and classifying operation thereof

Town of Parachute, Colorado Ordinance No. 693 Page 2 of 15

as a Class A municipal offense is hereby repealed in its entirety.

<u>Section 3</u>. Chapter 6.11 of the Parachute Municipal Code is hereby amended as follows, with additions shown in <u>double underlined text</u> and <u>strike through language deleted</u>:

# Chapter 6.11

# RETAIL MARIJUANA LICENSINGESTABLISHMENTS

Sections:		
6.11.010	Purpose.	
6.11.020	Adoption of Colorado Medical Marijuana Code and Colorado Retail	
	Marijuana Codes.	
6.11.030	Definitions.	
6.11.040	Classes of Licenses Authorized.	
6.11.050	Location Limitations of Medical and Retail Marijuana Establishments.	
6.11.060	License Required.	
6.11.070	Composition of Local Licensing Authority.	
6.11.080	Functions of Local Licensing Authority.	
6.11.090	Application Requirements.	
6.11.100	License Application Review Procedure.	
6.11.110	License Application Hearings.	
6.11.120	Review Criteria.	
6.11.130	Posting, Display of License.	
6.11.140	Expiration of License.	
6.11.150	Transfer of License.	
6.11.160	Renewal of License.	
6.11.170	Inspection.	
6.11.180	License Suspension or Revocation.	
6.11.190	Suspension or Revocation Hearings.	
6.11.200	Notice of Suspension or Revocation.	
6.11.210	Petitions on Suspended Licenses.	
6.11.220	Effect of Suspension or Revocation.	
6.11.230	Summary Suspension.	
6.11.240	Additional Standards for <b>Medical and</b> Retail Marijuana Establishments.	
6.11.250	Injunction.	
6.11.260	Prohibited Acts – Penalty.	
6.11.270	No Town Liability; Indemnification.	
6.11.280	Other Laws Remain Applicable.	
6.11.290	Severability.	

Town of Parachute, Colorado Ordinance No. 693 Page 3 of 15

6.11.300 Administrative Regulations.

6.11.310 Use of Sales Tax Revenue - Schools.

6.11.010 Purpose. The purpose of this Chapter is to establish requirements for the licensing of Medical Marijuana Establishments and Retail Marijuana Establishments by the Town of Parachute, to designate a local licensing authority to render decisions on Medical Marijuana Establishment and Retail Marijuana Establishment licenses within the Town, and to regulate such establishments once licensed in order to protect the health, safety, and welfare of the citizens of the Town. This Chapter is authorized by Article XVIII, Section 16 of the Colorado Constitution and Articles 43.3 and 43.4, Title 12, Colorado Revised Statutes, which vest the Board of Trustees of the Town of Parachute with the authority to enact ordinances which, with respect to medical and retail marijuana establishments: govern the time, place, manner, and number of such establishments within the Town; govern the issuance, suspension, and revocation of a license which may be issued by the Town for operation of such an establishment; establish a schedule of annual operating, licensing, and application fees for such establishments; and establish civil penalties for violation of the Town's ordinances governing such establishments.

6.11.020 Adoption of <u>Colorado Medical Marijuana Code and Colorado Retail Marijuana Codes</u>. Except as expressly set forth in this Chapter, the Town hereby adopts and incorporates herein the <u>Colorado Medical Marijuana Code</u>, Colorado Retail Marijuana Code, <u>Medical Marijuana Regulations</u>, and the Retail Marijuana Regulations, as now existing or as hereafter amended. At least one copy of <u>each</u> the Colorado Retail Marijuana Code and the Retail Marijuana Regulations will be kept on file by the Town Clerk and open to public inspection during regular business hours.

6.11.030 Definitions. Except where otherwise specifically defined in this Section, the capitalized terms in this Chapter shall have the same meaning as those set forth in Article XVIII, Section 16 of the Colorado Constitution, Colorado Medical Marijuana Code, the Colorado Retail Marijuana Code, Medical Marijuana Regulations, or the Retail Marijuana Regulations. In the event of any irreconcilable conflict between such documents, the Medical Marijuana Regulations and the Retail Marijuana Regulations shall control over this Section, the Colorado Medical Marijuana Code and Colorado Retail Marijuana Code shall control over the Medical Marijuana Regulations and Retail Marijuana Regulations, and the Colorado Constitution shall control over all legal authorities. Federal law shall not be relevant in interpreting this Section.

**Applicant**: A person, partnership, or entity, including all members, shareholders, officers, directors, partners and managers in the case of a corporate entity or partnership that has submitted an application for a License under this Chapter which has been accepted for review by the Local Licensing Authority.

Application: The submission by an Applicant of all materials required under this Chapter for

Town of Parachute, Colorado Ordinance No. 693 Page 4 of 15

issuance or renewal of a License, change of locations, premises modifications, transfers of ownership, and changes in trade name.

# <u>Colorado Medical Marijuana Code: Article 43.3 of Title 12 Colorado Revised Statutes, as amended.</u>

Colorado Retail Marijuana Code: Article 43.4 of Title 12 Colorado Revised Statutes, as amended.

**License**: A license granted by the Town to an Applicant for operation of a <u>Medical</u> <u>Marijuana Establishment or</u> Retail Marijuana Establishment.

**Licensed Premises**: The premises specified in a State License supplied for approval of a License pursuant to this Chapter.

**Licensee**: A person licensed to operate a <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment pursuant to the <u>Colorado Medical Marijuana Code</u>, Colorado Retail Marijuana Code and this Chapter.

<u>Medical Marijuana Establishment: A Medical Marijuana-Infused Products</u> <u>Manufacturer, an Optional Premises Cultivation Operation, or a Medical Marijuana Testing</u> <u>Facility.</u>

Medical Marijuana Regulations: The Colorado Department of Revenue, Marijuana Enforcement Division's Medical Marijuana Code, 1 Colorado Code of Regulations, 212-1, as amended.

Retail Marijuana Establishment: A Retail Marijuana Store, Retail Marijuana Cultivation Facility, Retail Marijuana Testing Facility, and Retail Marijuana Product Manufacturing Facility.

Retail Marijuana Regulations: The Colorado Department of Revenue, Marijuana Enforcement Division's Retail Marijuana Code, 1 Colorado Code of Regulations 212-2, as amended.

**State License:** The license granted by the Colorado Department of Revenue, Marijuana Enforcement Division pursuant to <u>the Colorado Medical Marijuana Code</u>, the Colorado Retail Marijuana Code, <u>Medical Marijuana Regulations</u>, and the Retail Marijuana Regulations for the operation of a <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment.

<u>6.11.040 Classes of Licenses Authorized</u>. For the purpose of regulating the cultivation, manufacture, distribution, offering for sale, and sale of retail marijuana or retail marijuana products,

Town of Parachute, Colorado Ordinance No. 693 Page 5 of 15

and subject to the provisions of this Chapter, the Town authorizes issuance of Licenses in each of the following classes of <u>Medical Marijuana Establishments: a Medical Marijuana-Infused Products Manufacturers, an Optional Premises Cultivation Operations, or a Medical Marijuana Testing Facilities; and Retail Marijuana Establishments: Retail Marijuana Cultivation Facilities; Retail Marijuana Testing Facilities; Retail Marijuana Product Manufacturing Facilities; and Retail Marijuana Stores. <u>Medical Marijuana Centers are not authorized.</u></u>

### 6.11.050 Location Limitations of Medical and Retail Marijuana Establishments.

- A. <u>Medical Marijuana Establishments and Retail Marijuana Establishments authorized by this Chapter Retail marijuana cultivation facilities, retail marijuana testing facilities, retail marijuana product manufacturing facilities, and retail marijuana stores shall only be located in permitted zone districts, as set forth in the Schedule of Uses in Zone Districts contained in Section 15.03.215. Prior to receiving a License pursuant to this Chapter for a <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment, Applicant shall be required to demonstrate or obtain approval for the proposed Licensed Premises as described in Title 15.</u>
- B. No <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment shall be located:
  - 1. Within five-hundred feet (500') of any existing public or private school; or
  - 2. Within one-hundred and fifty feet (150') of another <u>Medical Marijuana</u> <u>Establishment or Retail Marijuana Establishment</u>, except;
    - a. For a co-located Licensed Premises permitted by the <u>Medical</u> <u>Marijuana Regulations or</u> Retail Marijuana Regulations; or
    - b. If one (1) Medical Marijuana-Infused Products Manufacturer, one
      (1) Optional Premises Cultivation Operation, one (1) Medical
      Marijuana Testing Facility, one (1) Retail Marijuana Store, one (1)
      Retail Marijuana Cultivation Facility, one (1) Retail Marijuana
      Products Manufacturing Facility, and/or one (1) Retail Marijuana
      Testing Facility with distinct Licensed Premises are located on a single
      parcel. Under such circumstance, each License shall not be required
      to be held by a single Licensee.
  - 3. The distances described in this Section shall be measured using a route for direct pedestrian access from the nearest property line of the school or other <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment property to the nearest portion of the structure of the proposed Licensed Premises.

Town of Parachute, Colorado Ordinance No. 693 Page 6 of 15

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# 6.11.080 Functions of Local Licensing Authority.

- A. The Authority shall have the duty and authority pursuant to the <u>Colorado Medical</u> <u>Marijuana Code and Colorado Retail Marijuana Code and this Chapter to grant or refuse an Application and levy penalties against a Licensee in the manner provided by law.</u>
- B. The Authority shall consider Applications, new business premises, transfer of ownership, change of location, Licensed Premises modification, changes in trade name and any other appropriate Application.
- C. The Authority shall have all the powers of a Local Licensing Authority set forth in the **Colorado Medical Marijuana Code and** Colorado Retail Marijuana Code.
- D. The Authority shall have the power to promulgate rules and regulations concerning the procedures for hearings before the Authority.
- E. The Authority shall have the power to require any Applicant or Licensee to furnish such information to the Authority as may be reasonably necessary in order for the Authority to perform the duties and functions authorized by this Chapter.
- F. The Authority shall have the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books and records at any hearing which the Authority is authorized to conduct. Any such subpoena shall be served in the same manner as a subpoena issued by a District Court of the State.
- <u>6.11.090</u> Application Requirements. The Application for a new <u>Medical Marijuana</u> <u>Establishment or</u> Retail Marijuana Establishment License, change of locations, and premises modifications shall include the following:
  - A. A current application form provided by the Town.
  - B. A copy of the conditional State License or proof of application for a State License.
- C. Proof of ownership, lease, rental agreement or other arrangement for legal possession of the proposed Licensed Premises.
- D. An operating plan for the proposed Licensed Premises which includes a description of the products and services to be provided by the proposed Licensed Premises, including whether the establishment proposes to engage in the production of retail sale of food or other products

Town of Parachute, Colorado Ordinance No. 693 Page 7 of 15

containing <u>medical or</u> retail marijuana, and whether any <u>medical or</u> retail marijuana products or services will be provided at a location different than the premises on the license application.

- E. A floor plan showing the configuration of the proposed Licensed Premises, including a statement of total floor space occupied by the business, which designates the use of each room or other area of the proposed Licensed Premises and where patrons are not permitted.
  - 1. The floor plan need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the proposed Licensed Premises to an accuracy of plus—or—minus six inches.
  - 2. The floor plan shall designate the place at which the License will be conspicuously posted as required by this Chapter.
- F. Sign, security and lighting plans indicating how the Applicant will comply with the requirements of the <u>Colorado Medical Marijuana Code or</u> Colorado Retail Marijuana Code, <u>as applicable</u>, and this Chapter.
- G. An area map, drawn to scale, indicating the boundaries of the property upon which the proposed Licensed Premises is or will be located, the proximity, measured per the standards set forth below, of the proposed Licensed Premises to any public or private school located 500 feet or less from the proposed Licensed Premises, and the proximity to any other Licensed Premises located 150 feet or less from the proposed Licensed Premises.
- H. Proof that the proposed <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment will be located in a location that is compliant with the zoning and land use laws, or that the necessary land use application(s) has been made.
- I. Payment of all required fees as set forth on the Fee Schedule in this Section, together with an agreement to reimburse consultant fees on a form provided by the Town, which are nonrefundable.
- J. A statement of whether or not any person holding any ownership interest in the proposed <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment has:
  - 1. Ever been denied an application for a <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment license by the State or any other local jurisdiction in the State, or has ever had such a license suspended or revoked; and
  - 2. Ever been convicted of a felony or has ever completed any portion of a sentence due to a felony charge.

Town of Parachute, Colorado Ordinance No. 693 Page 8 of 15

- K. The contents of the Application shall be verified, under oath, by each person or entity holding an ownership interest in the proposed <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment.
- L. Applications for renewal of a License, transfers of ownership, changes in trade name, and other application types set forth in the Fee Schedule where no material change in the characteristics of the Licensed Premises has occurred shall not require the items enumerated in Subsections D through H.

Fee Sche	dule
Type of Application	Fee
Retail Marijuana Store – New/Renewal	\$5,000.00/\$2,000.00
Retail Marijuana Cultivation Facility – New/Renewal	\$5,000.00/\$2,000.00
Retail Marijuana Product Manufacturing Facility – New/Renewal	\$5,000.00/\$2,000.00
Retail Marijuana Testing Facility – New and Renewal	\$5,000.00/\$2,000.00
Medical Marijuana-Infused Products  Manufacturer - New and Renewal	<u>\$5,000.00/\$2,000.00</u>
Optional Premises Cultivation Operation - New and Renewal	<u>\$5,000.00/\$2,000.00</u>
Medical Marijuana Testing Facility - New and Renewal	\$5,000.00/\$2,000.00
Transfer of Ownership – New Owners	\$1,500.00
Transfer of Ownership – Reallocation of Ownership	\$600.00
Change of Corporation or LLC Structure	\$600.00/Person
Change of Trade Name	\$30.00
Modification of License Premises	\$100.00

<sup>\*</sup>Fee Schedule may be amended by the Board of Trustees by resolution.

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- 6.11.120 Review Criteria. In order to approve a License, the Authority shall find:
- A. The Application is complete and all fees have been paid;
- B. Public notice was properly provided pursuant to the provisions of this Chapter;

Town of Parachute, Colorado Ordinance No. 693 Page 9 of 15

- C. The Applicant is qualified under the provisions of this Chapter;
- D. The State License has been approved, conditioned on the granting of the License by the Town or has been applied for;
- E. The proposed Licensed Premises complies with the design and performance requirements of the <u>Colorado Medical Marijuana Code</u>, Colorado Retail Marijuana Code, <u>the Medical Marijuana Regulations</u>, and the Retail Marijuana Regulations, and this Chapter, <u>as applicable</u>; and
- F. The operation of a <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment in the location of the proposed Licensed Premises is not incompatible with the character of the immediate surrounding area and specific neighborhood.

### 6.11.130 Posting, Display of License.

- A. Every License issued by the Town for a <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment shall be posted during the period such License is valid. Such License shall be posted in a conspicuous place and shall be visible from the principal entrance of the Licensed Premises. When such License expires, it shall be removed; only valid Licenses in full force and effect shall remain posted.
- B. It shall be the duty of each Licensee to exhibit the License upon the request of any peace officer or other official of the Town.

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#### 6.11.160 Renewal of License.

- A. At any time from sixty (60) to thirty (30) days prior to the expiration of the current License, a Licensee may make Application for License renewal for the succeeding year and pay the required fees. Unless otherwise provided by this Chapter, if a renewal Application is made and no punitive action has been taken or is pending against the Licensee, such License may continue as valid until the renewal Application is reviewed by the Authority.
- B. The Town Manager or its designee shall send the License Renewal Application to all applicable Town departments and other referral agencies for review and comment.
- C. The License Renewal Application shall be brought before the Authority for consideration at a public hearing.

Town of Parachute, Colorado Ordinance No. 693 Page 10 of 15

D. The Authority may renew the License upon a finding that there have not been any suspensions of the License or violations of this Chapter, the Colorado Medical Marijuana Code, the Colorado Retail Marijuana Code, the Medical Marijuana Regulations, or the Retail Marijuana Regulations, as applicable, by the Licensee within the preceding one-year period. Should a violation have been found to exist may deny the renewal or may renew the License with conditions.

### <u>6.11.170 Inspection</u>.

- A. The Licensee and/or owner of any Licensed Premises shall permit representatives of the Colorado Marijuana Enforcement Division, the Town's Police Department, the Garfield County Public Health Department, the Town Manager or his designee, or the Grand Valley Fire Protection District to inspect the premises of a <u>Medical Marijuana Establishment and/or</u> Retail Marijuana Establishment for the purpose of ensuring compliance with this Chapter, <u>the Colorado Medical Marijuana Code</u>, the Colorado Retail Marijuana Code, <u>the Medical Marijuana Regulations</u>, or the Retail Marijuana Regulations, <u>as applicable</u>.
- B. Town departments and permitted agencies shall conduct such inspections in a reasonable manner and only as frequently as may be reasonably necessary.
- C. Except in cases of emergency, inspections shall take place during the regular business hours of the <u>Medical Marijuana Establishment and/or</u> Retail Marijuana Establishment or when any person is on the Licensed Premises.
- D. It shall be unlawful for the Licensee or any employee to refuse to permit such lawful inspection of the Licensed Premises as provided in this Section.

#### 6.11.180 License Suspension or Revocation.

- A. The Authority shall conduct a License suspension or revocation hearing and may, in its sole discretion, suspend or revoke a License if the Authority determines that a Licensee has:
  - 1. Violated or is not in compliance with this Chapter, the Colorado Medical Marijuana Code, the Colorado Retail Marijuana Code, the Medical Marijuana Regulations, or the Retail Marijuana Regulations, as applicable, or other provisions of the Municipal Code.
  - 2. Refused to allow an inspection of the Licensed Premises as authorized by this Chapter.
  - 3. Knowingly permitted any act upon the Licensed Premises that is unlawful under the laws of the State or the Town.

Town of Parachute, Colorado Ordinance No. 693 Page 11 of 15

4. Failed to file required reports or to furnish such other information as may be reasonably required by Town under the authority vested in it by the Colorado Retail Marijuana Code or the Retail Marijuana Regulations.

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#### 6.11.240 Additional Standards for **Medical and** Retail Marijuana Establishments.

- A. Hours of Operation. All <u>Medical Marijuana Establishments and</u> Retail Marijuana Establishments may operate only from the hours of 9:00am to 9:00pm, Monday through Sunday.
- B. <u>Qualifications of Applicants</u>. In addition to the requirements of the <u>Colorado Medical Marijuana Code</u>, the Colorado Retail Marijuana Code, <u>the Medical Marijuana Regulations</u>, or the Retail Marijuana Regulations, as <u>applicable</u>, the Applicant and Licensee shall demonstrate:
  - 1. That they possess the qualities of honesty, fairness, candor, trustworthiness and responsibility, and that they do have not have a history of prior misconduct. Prior acts of misconduct include, but are not necessarily limited to: criminal convictions, criminal or other formal charges of fraud, theft, or an act of moral turpitude; and.
  - 2. Are not in default under the provisions of this Chapter or the Town Code or in default of any agreement with the Town.
- C. <u>Performance Standards</u>. In addition, all <u>Medical Marijuana Establishments and</u> Retail Marijuana Establishments shall comply with the following requirements:
  - 1. No Licensed Premises shall be managed by any person other than the Licensee or the establishment manager listed on the Application. Such Licensee or establishment manager shall be responsible for all activities that occur within the Licensed Premises.
  - 2. There shall be posted in a conspicuous location in each <u>Medical Marijuana</u> <u>Establishment and</u> Retail Marijuana Establishment legible signs as follows:
    - a. A warning that the use of marijuana may impair a person's ability to drive a motor vehicle or operate machinery, and that it is illegal under state law to drive a motor vehicle or operate machinery when under the influence of or impaired by marijuana;

- b. A warning that loitering in or around a <u>Medical Marijuana</u> <u>Establishment or Retail Marijuana Establishment is prohibited by state law;</u>
- c. A warning that possession and distribution of marijuana is a violation of federal law;
- d. A warning that consumption of marijuana or alcohol beverages within a <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment is prohibited;
- e. A warning that the smoking or consumption of marijuana in public is prohibited by state law;
- f. A notice that no-one under the age of twenty-one is allowed on the Licensed Premises;
- g. The name and contact information for the owner or owners and any manager of the <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment; and
- h. All sales tax/business licenses.
- D. <u>Prohibited Acts</u>. The following acts are prohibited:
  - 1. It shall be unlawful for any Licensee to permit the sale or consumption of alcohol beverages, as defined in the Colorado Liquor Code, on the Licensed Premises.
  - 2. It shall be unlawful for any <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment to permit the sale or transport of <u>Medical Marijuana or</u> Retail Marijuana to a <u>Medical Marijuana Center or</u> Retail Marijuana Store without contaminant and potency testing.
  - 3. It shall be unlawful for any Licensee to permit the consumption of <u>Medical</u> <u>Marijuana</u>, Retail Marijuana, or <u>Retail</u> Marijuana Products on the Licensed Premises.
  - 4. It shall be unlawful for any Licensee, or for any agent, manager or employee thereof, to:
    - a. Sell, give, dispense or otherwise distribute **Medical Marijuana**, Retail

Town of Parachute, Colorado Ordinance No. 693 Page 13 of 15

- Marijuana, or Retail-Marijuana Products from any location other than the Licensed Premises;
- b. Sell, give, dispense or otherwise distribute any <u>Medical Marijuana</u>, Retail Marijuana, or <u>Retail-Marijuana</u> Products to persons under the age of twenty-one;
- c. Display signs that are inconsistent with sign provisions of the Town Code;
- d. Conduct the sale of <u>Medical Marijuana</u>, Retail Marijuana, or <u>Marijuana Products</u> by telephone, internet or other means of remote purchase;
- e. Distribute <u>Medical Marijuana</u>, Retail Marijuana, or <del>Retail Marijuana</del> Products to a consumer free of charge;
- f. To fail to designate areas of ingress and egress for limited-access areas or to post signs in conspicuous locations as required by the <u>Colorado</u> <u>Marijuana Code or</u> Colorado Retail Marijuana Code.
- 6.11.250 Injunction. Any person who operates or causes to be operated a **Medical Marijuana Establishment or** Retail Marijuana Establishment without a License is subject to suit for injunction as well as criminal prosecution. Nothing in this Section shall limit any other remedy available to the Town under applicable law.

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#### 6.11.280 Other Laws Remain Applicable.

A. To the extent the State adopts in the future any additional or stricter law or regulation governing the sale or distribution of retail marijuana, the additional or stricter regulation shall control the establishment or operation of any <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishment in the Town. Compliance with any applicable state law or regulation shall be deemed an additional requirement for issuance or denial of any License under this Chapter, and noncompliance with any applicable state law or regulation shall be grounds for revocation or suspension of any License issued under this Chapter.

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6.11.310 Use of Sales Tax Revenue - Schools. The Board of Trustees will consider as

Town of Parachute, Colorado Ordinance No. 693 Page 14 of 15

part of its annual budgeting the use of up to 1% of sales tax revenue generated from <u>Medical Marijuana Establishment or</u> Retail Marijuana Establishments to address marijuana use in the Town's schools.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of ¿to ② of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 17<sup>th</sup> day of March, 2016 and approved by the Mayor on the 17<sup>th</sup> day of March, 2016.

By:

Roy McClung, Mayor

BOARD OF TRUSTEES OF THE TOWN

OF PARACHUTE, COLORADO

ATTEST:

Denise Chiaretta, Town Clerk

Town of Parachute, Colorado Ordinance No. 693 Page 15 of 15

#### PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 6.11 OF THE PARACHUTE MUNICIPAL CODE CONCERNING MARIJUANA LICENSING TO REGULATE MEDICAL MARIJUANA ESTABLISHMENTS AND REPEALING SECTION 11.08.095.

was introduced before the Board of Trustees on March 17, 2016; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on March 17, 2016, and approved by the Mayor on March 17, 2016.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado, and available on the internet at http://www.parachutecolorado.com.

Dated this 17 th day of March, 2016.

Denise Chiaretta, Town Clerk